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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/539,885	06/16/2005	Andreas Franz Czotscher	W1.2096 PCT-US	5021

7590 08/17/2009  
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EXAMINER
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PHAM, THIERRY L

ART UNIT	PAPER NUMBER
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2625

MAIL DATE	DELIVERY MODE
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08/17/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/539,885	<b>Applicant(s)</b> CZOTSCHER ET AL.	
	<b>Examiner</b> THIERRY L. PHAM	<b>Art Unit</b> 2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 19 May 2009.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 50-52 and 54-73 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 50-52, 54-73 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

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### **DETAILED ACTION**

- This action is responsive to the following communication: an amendment filed on 5/19/2009.
- Claims 50-52, 54-73 are currently pending; claims 1-49, 53, 74-92 have been canceled.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 50-52, 54-73 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 50 recites the limitation "said material" in claim 50, line 4. There is insufficient antecedent basis for this limitation in the claim. It is unclear to the examiner that the claimed subject matter "materials" is referred to as materials to be fed into the material feeding device or "material feeding device" itself. Clarification is herein required.

Claim 50 recites the limitation "several of said units" in claim 50, line 6 is unclear and confusing. The examiner is unclear to what units are the applicants referring to. Also, it is unclear to which control elements of which units/devices that the common control system is assigned to. Furthermore, the examiner is unclear as to whether the applicants are claiming several of same unit or several of different units. Clarification is herein required.

Claim 51 recites the limitation "said material" in claim 51, line 4. There is insufficient antecedent basis for this limitation in the claim. It is unclear to the examiner that the claimed subject matter "materials" is referred to as materials to be fed into the material feeding device or "material feeding device" itself. Clarification is herein required.

Claim 51 recites the limitation "several of said units" in claim 51, line 5 is unclear and confusing. The examiner is unclear to what units are the applicants referring to. Also, it is unclear to which control elements of which units/devices that the common control system is

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assigned to. Furthermore, the examiner is unclear as to whether the applicants are claiming several of same unit or several of different units. Clarification is herein required.

Claim 52 recites the limitation "said data memory" in claim 52, line 1. There is insufficient antecedent basis for this limitation in the claim. Is "data memory" different from "central data memory"? Appropriate action is herein required.

Claim 54 recites the limitation "said process unit or said computing unit" in claim 54, lines 1-2. There is insufficient antecedent basis for this limitation in the claim. Claim 54 depends upon claim 50, wherein limitations/features "process unit" are not specifically cited in claim 50. Claim 50 recites "higher order process unit" and not just "process unit". Please clarify which unit is being claimed. Also notes that independent claim 51 clearly recites "process unit or computing unit". Should claim 54 be dependent upon claim 51 instead? The same also applies to claim 66. Please clarify.

Claim 59 recites the limitation "said print press units" in claim 59, line 3. There is insufficient antecedent basis for this limitation in the claim. Claim 59 is dependent upon claim 50, wherein claim 50 only recites a single print press unit. Appropriate action is herein required.

Claims 55-65, 67-73 are dependent upon rejected claims, therefore, are rejected for the same basis.

### ***Response to Arguments***

Applicant's arguments, see page 9, filed 5/19/2009, with respect to 73 have been fully considered and are persuasive. The 112, 2<sup>nd</sup> paragraph rejection of claim 73 has been withdrawn.

Applicant's arguments, see pages 9-10, filed 5/19/2009, with respect to claims 50, 58-62, 72-73 have been fully considered and are persuasive. The prior art rejection of claims 50, 58-62, 72-73 under 35 U.S.C. 103(a) has been withdrawn.

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***Allowable Subject Matter***

Claims 50-52, 54-73 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to THIERRY L. PHAM whose telephone number is (571)272-7439. The examiner can normally be reached on M-F (9:30 AM - 6:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles can be reached on (571)272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Thierry L Pham/

Examiner of Art Unit 2625